

Confirmation No. 3126

PC9978A

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : Fumitaka Ito, et al.

EXAMINER : Bruck Kifle

SERIAL NO. : 09/753,954

ART UNIT : 1624

FILED : January 3, 2001

PAPER NO. :

FOR : Benzimidazole Compounds as ORL1-Receptor Agonists

**Comments on Statement of Reasons for Allowance and Amendment and Response After
Allowance Filed Under 37 C.F.R. § 1.312**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Notice of Allowance and Issue Fee Due and the Examiner's Amendment dated March 26, 2004, please enter the following Amendment filed under 37 C.F.R. § 1.312(a).

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 15 of this paper.

Customer No. 28880

Confirmation No. 3126

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/753,954
Filing Date	January 3, 2001
First Named Inventor	Ito Fumitaka, et al.
Art Unit	1624
Examiner Name	Bruck Kifle
Attorney Docket Number	PC9978A

Total Number of Pages in This Submission

17

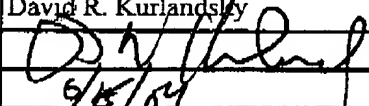
ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Amendment Under 37 C.F.R. 1.312 Part B - Issue Fee
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Remarks


AUTHORIZATION IS GIVEN TO CHARGE THE NECESSARY FILING FEES AND ANY ADDITIONAL FEES OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT 23-0455.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	David R. Kurlandsky
Signature	
Date	6/16/04

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 6/16/04

Typed or printed	Linda A. Zerby
Signature	
Date	6/16/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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